IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1330 OF 2003

Mr.Vijayendra R. Draupaknavar ...Petitioner.
Versus
Mr.Pramod Gururao Purohit
and Anr. ...Respondents.

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Mr.Girish Kulkarni, Adv. for the Petitioner.
Mr.J.M.Puranik, Adv. for Respondent No.1.
Smt.V.R.Bhosale, APP, for State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 28th February, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner-orig.accused No.7, the learned Advocate for respondent No.1-orig.complainant, and the learned A.P.P. for the State.

2. The petitioner is seeking quashing of process issued by the learned JMFC, Kalyan in C.C. No.478/2002.

3. For the reasons recorded in the the case of **V.K.Jain and others Vs. Pratap V. Padode, reported in 2005(3) Mh.L.J.778,** I am of the opinion that the petitioner has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers a

revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the petitioner makes a statement that the necessary revision will be preferred within eight weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of eight weeks from today.

5. The learned advocate for respondent No.1-orig.complainant fairly states that no objection will be raised in respect of delay, if any, in filing the revision.

6. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court after hearing necessary parties shall dispose of the matter on merits.

7. Application is disposed of.

(SMT.V.K.TAHILRAMANI,J.)